

**REMARKS**

The foregoing amendment and remarks that follow are responsive to the Office Action mailed January 18, 2006. In that Office Action, the Examiner objected to the Abstract based on an informality. Furthermore, the Examiner rejected Claims 1-20 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0126001, filed by Northcutt et al. (hereinafter “NORTHCUTT”).

**I. Objection to the Abstract**

In the Office Action, the Examiner objected to the Specification indicating that the Abstract should be in narrative form and should be limited to a single paragraph within the range of 50-150 words.

By this amendment, Applicants have amended the Abstract as shown such that the Examiner’s objection issued in relation thereto is now believed to be overcome.

**II. Rejection Under 35 U.S.C. §103(a)**

Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over NORTHCUTT. In rejecting the claims under §103(a), the Examiner indicates that NORTHCUTT discloses “a method for processing work requests in a system having a central computer containing a web server and a plurality of remote computer work stations coupled to said central computer, said method comprising: a. an originator creating a work request...and transmitting it to a first level for approval; b. said first level reviewing said work request and, if approved, transmitting it to a third level group lead for a work assignment; d. a facilitator assigned in the preceding step executing said work request; e. said third level group lead reviewing work performed by said facilitators, and transmitting approval to said fourth level in satisfactory; h. closing said work request.” The Examiner indicates that NORTHCUTT fails to teach “a second level review board reviewing said work request, a fourth level review board reviewing work performed by facilitator, a fifth level reviewing work performed by facilitator.” (Office Action, pages 2-5)

However, the Examiner indicates that although NORTHCUTT does not explicitly teach a second review board, it is well known in the art to have additional personnel review service requests to ensure that service is approved and classified and routed properly. The Examiner also indicates that NORTHCUTT does not explicitly teach fourth and fifth level review boards

evaluating the work performed by the IT person but that it is well known in the art to have additional personnel review the work completed by an IT person to ensure the work is performed satisfactory to the request and the organization. (Office Action, pages 4-5) However, even agreeing with the Examiner's position, Applicants nonetheless maintain a belief in the patentability of the present invention.

More specifically, as understood, NORTHCUTT does not feature the step of an administrator assigning alternate personnel in the event of the unavailability of personnel for the first, second, third, fourth and fifth levels, as disclosed in Figure 2 and in paragraphs 0035, 0038, 0048 and 0050 of the application as originally filed. Rather, NORTHCUTT is believed to disclose a system for processing work requests that is distinguished from the method of the present invention. More specifically, NORTHCUTT is not understood to teach or suggest the feature of an administrator providing alternate personnel for the case where such personnel are unavailable, as claimed in amended independent Claims 1, 11 and 18. Even though the NORTHCUTT reference is generally understood to be directed toward a method for processing work requests, NORTHCUTT is not understood to disclose the present invention's specific combination of elements as recited in amended independent Claims 1, 11 and 18. Moreover, Applicants respectfully submit that NORTHCUTT is silent as to such concept.

For example, Figures 4a and 4b of NORTHCUTT are understood to show only the processing of a request (equivalent to the work request of Applicants' invention) which may include the performance of a cost benefit analysis (referred to as "CBA" in Figure 4a of NORTHCUTT), e-mailing the RFS to an IT responsibility (as shown in Figure 4b of NORTHCUTT) as well as cost estimation (as shown in Figure 4b). However, even assuming that the method disclosed in NORTHCUTT includes the steps of creating a work request, transmitting it to a first and second level for approval, transmitting to a third level for work assignment followed by a facilitator executing the work request, reviewing the work performed by the facilitator at the third level followed by transmitting it to fourth and fifth levels for approval prior to closing the work request, Applicants submit that NORTHCUTT fails to disclose the step of a facilitator assigning alternative personnel for the event that personnel are unavailable for the first, second, third, fourth and fifth levels. In this respect, Applicants submit that NORTHCUTT fails to disclose such emphasized feature of amended independent Claims 1, 11 and 18.

Applicants therefore respectfully submit that because NORTHCUTT fails to teach each and every element as claimed in amended independent Claims 1, 11 and 18, a *prima facia* case of obviousness is not established and the rejection under 35 U.S.C. §102(a) is therefore reversed. For this reason, Claims 1, 11 and 18 are believed to be patentable over the cited and applied reference. Insofar as amended independent Claim 1 is believed to be allowable, its dependant claims, namely Claims 2-9, are also believed to be allowable as they are further limitations of Claim 1. Likewise, because amended independent Claims 11 and 18 are believed to be allowable, their dependent claims, namely, Claims 12-17 (for Claim 11) and Claims 19-20 (for Claim 18) are also believed to be allowable as they are further limitations of their respective base claims.

### **III. Request for Allowance**

In view of the foregoing, Applicants submit that upon entry of the amendments, the stated grounds of objection and rejection have been overcome and that Claims 1-20 are in condition for allowance. An early notice of allowance is therefore respectfully requested.

Should the Examiner have any suggestions for expediting allowance of the application, please contact Applicants' representative at the telephone number listed below.

If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: Feb 28, 2006 By:

Customer No.: 007663

Bruce B. Brunda

Bruce B. Brunda  
Registration No. 28,497  
STETINA BRUNDA GARRED & BRUCKER  
75 Enterprise, Suite 250  
Aliso Viejo, California 92656  
Telephone: (949) 855-1246  
Fax: (949) 855-6371